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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,393	07/15/2003	John Hawes	930039-2064	7678
20999	7590	01/12/2005	EXAMINER	
FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			HUG, ERIC J	
			ART UNIT	PAPER NUMBER

1731

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Applicati n N .</b>	<b>Applicant(s)</b>	
	10/619,393	HAWES, JOHN	
	<b>Examin r</b>	<b>Art Unit</b>	
	Eric Hug	1731	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**P r i d f r Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 July 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Pri rity under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                    |                                                                             |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____                                                |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____                                                                        | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-4, 6, 7, 10, 31-34, 36, 37, and 40 are rejected under 35 U.S.C. 102(b) as being anticipated by Trokhan (US 6,193,847). Trokhan discloses a papermaking belt comprising a woven fabric base and a resin framework. The framework comprises deflection conduits 16 which make up a pattern of through-holes (perforations), and also comprises synclines 18, which are chasms or notches (grooves) formed in the surface of the framework. See column 5, lines 25-43. The areas of the framework not occupied by holes or synclines are effectively lands. The drawings show that for a given embodiment, the framework lies in a single plane, thus the land areas lie in a plane, and the synclines also lie in a plane. Some of the synclines are angled with respect to the machine direction of the belt. Figure 6B shows synclines in a cross-hatched pattern. The holes are only in the land areas. The belt can be used as a press felt (column 3, lines 48-51).

2. Claims 1-6, 11-16, 21-26, and 31-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Watanabe (US 6,514,386). Watanabe discloses a papermaking felt having a film

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layer 5 with elongated ridges oriented in the cross-machine direction (90 degrees to the machine direction). Figure 6 shows in particular that this layer can be made up of rectangular grooves and lands, each lying in a plane and parallel to one another. Other embodiments comprise rounded grooves. A batt layer is eventually needled to the film layer. During needling, the film layer is perforated, rendering the layer water-permeable (column 5, lines 1-7). Therefore, the film layer comprises lands, grooves, and perforations.

3. Claims 1-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Joyce et al (US 6,726,809). Joyce discloses an industrial process fabric 10 suitable for use as a press fabric in a paper making machine, the fabric having at least one layer with an embossed surface. Grooved embossments 14 with land areas 12 in between are provided. The embossments run parallel to each other and perpendicular to the machine-direction grooves of an opposing shoe press belt. See column 4, lines 38-51. Embossed patterns can be on both sides of the press fabric, further enhancing the water removal process. The backside pattern can be MD oriented channels (embossments), channels at oblique angles to the MD direction, or in the CD direction, or both MD and CD direction at the same depth or different depths (the latter would be equivalently a cross-hatched pattern). Rather than channels, embossments such as circular openings may be provided. See column 4, lines 52-65. Other embossed patterns include both grooves and holes, whereby the holes are aligned with the grooves, not-align with the grooves, or partially aligned with the grooves. See column 5, lines 27-36.

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4. Claims 1-5, 8, 11-15, 18, 21-25, 28, 31-35, and 38 are rejected under 35 U.S.C. 102(b) as being anticipated by Chalon (US 1,925,917) discloses a paper press belt formed with parallel longitudinal ribs 15 and perforations 11 therethrough. The ribs form land and grooved areas that lie in different planes. The perforations partially overlie the land and grooves. See Figure 2. The belt is made by first forming the ribbed belt and then cutting the belt to form the perforations.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following references disclose various paper making fabrics or belts having grooves and/or perforations:

Benz (US 3,549,742)

Albert (US 4,537,658)

Albert (US 4,541,895)

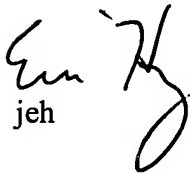
Johnson (US 6,544,389)

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Hug whose telephone number is 571 272-1192. The examiner can normally be reached on Monday through Friday, 10:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571 272-1189. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
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